

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE CITY OF ST. JOSEPH, MISSOURI

October 3, 2011 - 7:00 p.m.  
Office of the City Clerk

CALL TO ORDER:

The Council of the City of St. Joseph, Missouri, met in regular meeting in the Council Chamber at City Hall, on Monday, October 3, 2011, at 7:00 p.m. The meeting was called to order at 7:00 p.m. by Mayor Falkner. Notice of said meeting had been established as every other Monday at 7:00 p.m. Further notice was provided by posting the regular meeting date and time in the City Clerk's office at City Hall, and by written notice (together with a tentative agenda) three days in advance in the City Clerk's office.

ROLL CALL:

Present were Councilmembers Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9. Total membership--9. Five members constitute a quorum.

Also present were City Manager J. Bruce Woody, City Attorney Lisa M. Robertson, Police Chief Chris Connally, Financial Services Director Carolyn Harrison, Human Resources Director Diana Slater, Fire Chief Michael L. Dalsing, Parks, Recreation & Civic Facilities Director Bill R. McKinney, Health Director Debra Bradley, Property Maintenance & Technology Services Director Steve Hofferber, Interim Public Works & Transportation Director Andrew Clements, Associate Director of Technology Services Mark Townsend, Community Development Manager Gerald McCush, Communications Manager Mary Robertson, Multi-media Coordinator Chris Clark, City Clerk Paula Heyde and Deputy City Clerk Rita K. Domini.

Under the Council voting rotation system, Councilmember LaBass voted first.

PLEDGE OF ALLEGIANCE:

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MINUTES:

None.

SPECIAL RECOGNITIONS:

38086 Missouri Western State University journalism class students

ACCEPTANCE OF AGENDA:

38087 It was moved by Councilmember Boyer and seconded by Councilmember Myers that the Agenda be accepted as published. Motion carried. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

PUBLIC HEARING ORDINANCES FOR REZONING & CONDITION USE PERMITS:

38088 (G.O. 2444) A Bill (#597-10) redistricting 101-194 Countryside Lane from R-1A Single Family Residential District, C-3 Commercial District and M-2 Heavy Manufacturing District to R-5 Mobile Home Park and Mobile Home Subdivision District as requested by Louis Natenshon, having been read the first time on September 19, 2011, was read the second time and passed. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

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CONSENT AGENDA:

- 38089 It was moved by Councilmember Penland and seconded by Councilmember Myers that Agenda Numbers 38090 through 38098 be passed by Consent Agenda. Motion carried. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

Nominations and Appointments:

- 38090 Filed 9/19/11: The nomination by Councilmember Roach, was approved, appointing Ellis L. Cross, 503 N. 5<sup>th</sup> Street, as a member of the Landmark Commission for a term expiring October 10, 2014; he is being reappointed.
- 38091 Filed 9/23/11: The nomination by Councilmember Jones was approved, appointing Angelique (Angel) Benner, 1201 Northwood Drive, Apt. 5, as a member of the Community Police Advisory Committee for a term expiring March 26, 2013; she is filling the vacancy created by the resignation of Danielle Hunt.

Bills for Passage:

- 38092 (S.O. 8294) A Bill (#599-10) amending the Police Department budget in the General Fund and accepting the Edward Byrne Memorial Justice Assistance Grant in the amount of \$33,207.00 to be used to purchase supplies and equipment for the Police Department and Buchanan County Sheriff Dept, having been read the first time on September 19, 2011, was read the second time and passed.
- 38093 (S.O. 8295) A Bill (#602-10) amending the General Fund budget in the amount of \$8,784.00 for the purpose of recording the capital lease on city-wide copiers in the General Fund capital asset group and allocating charges through interfund transfers from the Aviation, Mass Transit and Water Protection Funds, having been read the first time on September 19, 2011, was read the second time and passed.
- 38094 (S.O. 8296) A Bill (#605-10) amending the Capital Projects Fund and accepting a donation from the George Bode, Jr. Benevolent Trust both in an amount not to exceed \$200,000.00 to be used for the Bode Sports Complex roof renovation and authorizing the amount of \$4,865.00 for the removal of the HVAC units from the roof by Brooner Construction and Crane, having been read the first time on September 19, 2011, was read the second time and passed.
- 38095 (S.O. 8297) A Bill (#606-10) accepting temporary construction easements from KCP&L located on their property at 1413 Lower Lake Road at no cost to the city for the construction of the Disinfection and Effluent Pump Station Project, having been read the first time on September 19, 2011, was read the second time and passed.
- 38096 (S.O. 8298) A Bill (#598-10) authorizing the issuance of the city's Industrial Development Revenue Bonds (Boehringer Ingelheim Vetmedica, Inc. Project) Series 2011B, in a principal amount not to exceed \$5,000,000.00 to pay the costs of a portion of a project for Boehringer Ingelheim Vetmedica, Inc., a Delaware corporation, consisting of the purchase, acquisition, equipping and installation of certain personal property and equipment in the company's administrative office building located on the company's campus in St. Joseph, Missouri; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds, having been read the first time on September 19, 2011, was read the second time and passed.

Resolutions for Adoption:

- 38097 (Resolution No. 38097 – 3265) A Resolution (#610-10) rescheduling the October 31, 2011, regularly scheduled meeting of the St. Joseph City Council to November 1, 2011, at 7:00 p.m., was read and adopted.

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CONSENT AGENDA: Resolutions for Adoption: (Cont'd)

38098 (Resolution No. 38098 – 3266) A Resolution (#622-10) authorizing the advertising of bids for the sale of sand left over from Summer 2011 flood fighting, was read and adopted.

\*\*\*\*\* END OF CONSENT AGENDA \*\*\*\*\*

BILLS FOR PASSAGE:

38099 (S.O. 8299) A Bill (#604-10) to amend the Capital Project Fund budget in the amount of \$116,242.00 and to authorize a contract with RS Electric Utility Services Corporation in the amount of \$116,241.24 for the Traffic Signal LED Replacement Project, having been read the first time on September 19, 2011, was read the second time and passed. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

EMERGENCY BILL FOR PASSAGE:

38100 (S.O. 8300) An Emergency Bill (#616-10) amending the Capital Projects Fund budget and authorizing Change Order #1 to the contract with Herzog Contracting Corporation for the 2011 Street Resurfacing Project, both in the amount of \$80,000.00, for renovations to the Fairview Golf Course parking lot, was introduced, read and passed. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

RESOLUTION FOR ADOPTION:

38101 (Resolution No. 38101 – 3267) A Resolution (#615-10) authorizing the submission of an application for a 2011 Supportive Housing Program Renewal Grant funded by the Department of Housing and Urban Development on behalf of the St. Joseph Continuum of Care Homeless Services Coalition, was read and adopted. Ayes, Myers, Penland, Roach, Starr, Boyer, Falkner, Kovac—7. Nay, LaBass, Jones—2.

BILLS FOR FIRST READING:

38102 A Bill (#608-10) amending Section 16-32 of the Code of Ordinances entitled “Amendments” to the Fire Prevention Code, was introduced and read the first time.

38103 A Bill (#609-10) providing a new a revised plan of redistricting based upon the last official federal census of 2010; providing for the dissolution of the existing five council districts; providing for the establishment of five new council districts; and adopting an official council district map, was introduced and read the first time.

38104 A Bill (#611-10) to amend the Public Health Department budget in the General Fund to reflect a decrease in revenues received in the amount of \$8,600.00 and to enter into a contract with the Missouri Department of Health and Senior Services in the amount of \$56,922.00 for Public Health Emergency Preparedness, was introduced and read the first time.

38105 A Bill (#612-10) authorizing a Cooperative Agreement with the Missouri Department of Conservation to accept a matching Tree Resource Improvement & Maintenance (TRIM) Cost-Share Program Grant in the amount of \$8,249.88 and amending the General Fund Property Maintenance Department budget in the amount of \$8,250.00, was introduced and read the first time.

38106 A Bill (#613-10) amending Section 28-1587 of the Code of Ordinances entitled “No truck traffic streets,” was introduced and read the first time.

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Number BILLS FOR FIRST READING: (Cont'd)

- 38107 A Bill (#614-10) amending the Mass Transit Fund budget to recognize revenue in the amount of \$13,396.73 received from two insurance companies for damage to a transit bus, was introduced and read the first time.
- 38108 A Bill (#617-10) amending the Parks, Recreation and Civic Facilities Department budget in the General Fund to accept the sponsorship fee from ABC Bottling Company for Fiscal Year 2012 in the amount of \$10,000.00 to be used for renovations at Bode Sports Complex, was introduced and read the first time.
- 38109 A Bill (#618-10) to amend the Public Health Department budget in the General Fund and to enter into a contract with the Missouri Department of Health and Senior Services both in the amount of \$17,874.00 for a Healthy Homes Lead Poisoning Prevention Program, was introduced and read the first time.
- 38110 A Bill (#619-10) accepting a Permanent Drainage Easement in Northridge Estates, First Extension, was introduced and read the first time.
- 38111 A Bill (#620-10) to enter into a contract with K.I.C., Inc., "Keep It Clean Trash Service" for trash, waste hauling and disposal services for city facilities, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 9/14/11: Minutes of the Traffic Commission meeting held September 13, 2011, at 10:00 a.m., in the Council Chamber at City Hall.

Filed 9/14/11: Minutes of the Tree Board meeting held September 13, 2011, at 6:00 p.m., in the 1<sup>st</sup> Floor Conference Room at City Hall.

Filed 9/14/11: Minutes of the Senior Citizens Foundation, Inc. Board meeting held August 9, 2011, at 3:03 p.m., at the Joyce Raye Patterson Senior Citizens Center, 100 South 10<sup>th</sup> St.

Filed 9/16/11: Minutes of the Housing Authority meeting held July 21, 2001, at 4:00 p.m., at 2902 South 36<sup>th</sup> Street.

Filed 9/20/11: Minutes of the Parks & Recreation Board meeting held September 15, 2011, at 4:00 p.m., at 1920 Grand Avenue.

Filed 9/21/11: Minutes of the St. Joseph Public Library Board of Trustees meeting held September 19, 2011, at 5:00 p.m., at the Carnegie Library, 316 Massachusetts.

Filed 9/21/11: Minutes of the Community Police Advisory Committee meeting held September 6, 2011, at 7:00 p.m., at the Rolling Hills Consolidated Public Library, 1904 N. Belt.

Filed 9/26/11: Minutes of the St. Joseph Special Business District Board of Directors meeting held September 8, 2011, at 3:30 p.m. at 101 Jules St.

Filed 9/27/11: Minutes of the Aviation Board meeting held September 7, 2011, at 7:00 p.m., in the conference room at Rosecrans Memorial Airport.

COUNCIL WORK SESSIONS & COMMITTEE MEETINGS – CITY CLERK’S OFFICE:

Filed 9/19/11: Minutes of the Work Session held September 14, 2011, at 4:15 p.m., in the 4<sup>th</sup> Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 9/16/11: memorandum in re: Acting City Manager (September 17-21, 2011).

Filed 9/19/11: Memorandum in re: September 22, 2011 Work Session.

Filed 9/19/11: Mayor and City Council Update, September 16, 2011.

Filed 9/19/11: Memorandum in re: Redistricting.

Filed 9/23/11: Memorandum in re: September 28<sup>th</sup> Work Session.

Filed 9/23/11: Mayor and City Council Update, September 23, 2011.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 9/14/11: Letter from Roger Stottlemire, Executive Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for the period 8/1/2011 thru 8/31.2011.

Filed 9/15/11: City Weekly, September 15, 2011.

Filed 9/16/11: Minutes of the St. Joseph Area Transportation Study Coordinating Committee meeting held December 16, 2010, at 12:00 p.m., in the 1<sup>st</sup> Floor Conference Room at City Hall.

Filed 9/20/11: Letter from Danielle Hunt, 2612 Faraon Street, in re: Resignation from the Community Police Advisory Committee.

Filed 9/21/11: Minutes of the St. Joseph Museums, Inc. Funding Events Committee meeting held July 7, 2011, at 1:05 p.m., at 3406 Frederick Blvd.

Filed 9/21/11: Minutes of the St. Joseph Museums, Inc. Bi-Monthly Board meeting held July 21, 2011, at 4:00 p.m., at 3406 Frederick Blvd.

Filed 9/21/11: Minutes of the St. Joseph Museums, Inc. Executive Committee meeting held August 17, 2011, at 12:04 p.m., at 3406 Frederick Blvd.

Filed 9/22/11: Minutes of the Police Pension Board meeting held August 17, 2011, at 4:00 p.m., in the 1<sup>st</sup> Floor Conference Room at City Hall.

OTHER BUSINESS:

City Manager's Report – City Manager J. Bruce Woody gave an update on the Landfill Gas to Energy Project with Kansas City Power & Light.

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PUBLIC COMMENT:

38112 Rebecca Barrow, Branch Manager of ResCare Homecare, 111 N. 36th St., said they are in the process of relocating their office to the downtown area and would like a decrease in the parking fee at the 6<sup>th</sup> & Jules parking garage for eight employees over the next five years. Mr. Woody took Ms. Barrow's telephone number and said he would contact her about her request.

Charles Lau, 3405 Linda Lane, said he doesn't think Bill #609-10, in regard to redistricting, passes the kind of scrutiny as far as what's required by federal guidelines so that the districts are represented as close as possible and equal population. He hopes the City Council will take it's time and take a look at how it really wants to see the representation to be and still meet the guidelines he thinks are required. He would probably recommend changes so that it's more represented of the population.

Steve Holdenried, 2125 S. 11th St., (in re: Council redistricting) said city staff came up with a difference of 2.2%. The proposal is 5.7%; 2.2% is closer than 5.7%. He thinks it is a deviation from the city charter and the Missouri Municipal League. In his opinion there is an unwillingness to see what's right in front of you. There are two weeks before the Council votes on this issue and he hopes the Council makes sure it is highly advertised.

Jerome Williams, 2411 Angelique St., asked if the Council is given guidelines, shouldn't the Council follow those guidelines. As far as information being made available to the public, he has not received anything.

NOTES:

Agenda No. 38086 - Dr. Robert Bergland, Professor of Journalism and Integrated Media Adviser, The Griffon News, Missouri Western State University, introduced journalism students who were present to observe the Council meeting for his newswriting class.

ADJOURNMENT:

38113 By general consent, the Council adjourned.

The meeting adjourned at 7:52 p.m.

Paula Heyde, CMC, City Clerk